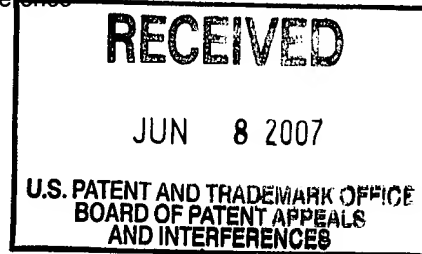


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Amendment in Response to New Grounds for Rejection Stated by Board  
of Patent Appeals and Interferences (7 pages)  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): S. Kimura EXAMINER: Ha, Leynna A.  
SERIAL NO.: 09/846,907 GROUP: 2135  
FILED: May 1, 2001  
FOR: ACCESS POINT DEVICE AND AUTHENTICATION METHOD  
THEREOF

\*\*\*\*\*

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By:   
Kathryn A. Grindrod

\*\*\*\*\*

BOARD OF PATENT APPEALS AND INTERFERENCES  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT IN RESPONSE TO NEW GROUNDS FOR REJECTION  
STATED BY BOARD OF PATENT APPEALS AND INTERFERENCES**

In response to the Decision and the Opinion in Support of the Decision of the Board of Patent Appeals and Interferences with regard to the above-identified case dated 8 May 2007, Appellant respectfully submits and amendment to the subject application as follows and requests that this application be remanded to the Examiner for formal consideration of the same:

**In The Claims:**

**Please Amend the Claims so as to read as follows:**

1. (Currently Amended) An access point device having an interface function with a ~~network~~ LAN constructed of wired transmission channels ~~and establishing that establishes datalink connections with other networks and establishes radio datalink connection connections~~ with a plurality of mobile stations within ~~the~~ an area of ~~a radio~~ the LAN,  
the access point device comprising:  
display means; and  
input means,  
wherein  
when performing an authentication procedure before a particular mobile station initiates an association procedure with the LAN, the display means displays information regarding the particular mobile station received via a radio datalink connection requesting authentication to a LAN administrator for final authorization of the authentication procedure when the particular mobile station is in the area of the LAN in response to a notification of the presence of the particular mobile station requesting authentication ~~authentication requesting mobile station~~, and wherein an authentication-authorizing or rejecting instruction for the particular mobile station ~~displayed by the display means~~ can be entered via the input means by the ~~network~~ LAN administrator and displayed by the display means.

2. (Previously Presented) A method using the device according to claim 1.

### **REMARKS**

This is in response to the Decision and the Opinion in Support of the Decision of the Board of Patent Appeals and Interferences with regard to the above-identified case dated 8 May 2007.

In the Decision and the Opinion in Support of the Decision of the Board of Patent Appeals and Interferences dated 8 May 2007 with regard to the above-identified case, the Board of Patent Appeals and Interferences stated at pages 8-9 that:

#### V. CONCLUSION

In summary, a rejection of claim 1 and 2 under 35 U.S.C. § 112, & 2 is added. The rejection of the same claims under § 102(b) is reversed *pro forma*.

37 C.F.R. § 41.50 (b) (2006) provides that “[a] new grounds of rejection pursuant to this paragraph shall not be considered final for judicial review.” Section 41.50(b) also provides that, within two months from the date of the decision, the appellant must exercise one of the following options to avoid termination of proceedings of the rejected claims:

- (1) Submit an appropriate amendment to the claims so rejected or new evidence relating to the claims so rejected, or both, and have the matter reconsidered by the examiner, in which event the proceeding will be remanded to the examiner....
- (2) Request that the proceeding be reheard under 37 C.F.R. § 41.52 by the Board upon the same record....

No time for taking any action connected with this appeal may be extended under 37 C.F.R. § 1.136 (a)(1)(iv).

The foregoing Amendment In Response to New Grounds for Rejection Stated By Board of Patent Appeals and Interferences is respectfully submitted pursuant to the above-quoted direction of the Board of Patent Appeals and Interferences, and Applicant respectfully requests that the above-identified application be remanded to the Examiner for further consideration in view thereof.

More particularly, also in the Decision and the Opinion in Support of the Decision of the Board of Patent Appeals and Interferences dated 8 May 2007 with regard to the above-identified case the Board of Patent Appeals and Interferences stated at pages 4-5 that:

#### B. ANALYSIS

Here claim 1 recites in pertinent part “the network administrator”. No such “network administrator”, however, was previously recited in the claim. Furthermore, the relation between “the network administrator” and the “LAN administrator,” which was previously recited in the claim, is uncertain. Those of ordinary skill in the art would not understand whether these expressions refer to the same or different entities. Nor would they understand whether the “authentication-authoring or rejecting instruction” is input by the same entity to which the “information regarding the mobile station” is displayed.

The claim’s recitation of both “a network constructed of wired transmission,” (pmb1), and “a radio LAN,” (*id*), imply that the “network administrator” and the “LAN administrator” are different entities that administer the two different networks. In contrast, the specification’s mentions of “a network administrator administering the LAN,” (Specification 8), may imply that the “network administrator” and the “LAN administrator” are the same entity that administer the same LAN. Under the latter interpretation, however, it is unclear whether the LAN is the “Radio LAN.” It is also uncertain whether the “network administrator”, “the LAN administrator” or both administer the wired network.

The Appellant's repeated references to "the network administrator" and the "LAN administrator" in contesting the Examiner's rejection, (BR. 17-22; Reply Br. 4-5, 7, 9-11), emphasize the need to understand the scope of these terms. Therefore, we reject claim 1 and claim 2, which depends therefrom, as indefinite.

In response to the concerns stated by the Board of Patent Appeals and Interferences, Applicant by the foregoing Amendment has extensively amended Claim 1 of the above-identified application. Applicant respectfully submits that as a result of the foregoing Amendment it now is abundantly clear that:

1. Only one "network administrator" is being claimed, that "network administrator" now being consistently referred to throughout the claims as a/the "LAN administrator";
2. The only networks referred to in the Claims of this application are the LAN and the network(s) to which the LAN may be connected via datalink connection;
3. The LAN claimed in the above-identified application is a single network, i.e., separate wired and radio networks are not being claimed. Instead, what is being claimed is a LAN constructed of wired transmission channels that (a) establish datalink connections with other networks, and (b) establish radio datalink connections with a plurality of mobile stations located within the area of the LAN.

In view of the foregoing Amendment as explained by the foregoing Remarks, therefore Applicant respectfully submits that the rejection stated by the Board of Patent Appeals and Interferences now has been overcome. Accordingly, Applicant respectfully submits that as hereinabove amended Claims 1 and 2 are now in condition for allowance. Remand of this application to the Examiner for further consideration based upon the terms of the new grounds for rejection stated by the Board of Patent Appeals and Interferences and the foregoing Amendment responding thereto as well as a decision allowing this application in response to this communication is respectfully requested.

Finally, Applicant believes that additional fees are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

Date: June 12, 2007

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